

1 APPEARANCES: (Continued)

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3 WARD & WARD, P.C., by
4 MR. MICHAEL W. WARD
5 One Rotary Center
6 1560 Sherman Avenue, Suite 310
7 Evanston, Illinois 60201
8 appeared for Applicant;

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7 MAYER BROWN, LLP, by
8 MR. MATT PROVANCE and
9 MR. CHRISTIAN F. BINNIG
10 71 West Wacker Drive
11 Chicago, Illinois 60606
12 appeared for UTAC;

10 -and-

11 MS. BARBARA E. COHEN
12 7428 Anton Circle, NE
13 Albuquerque, New Mexico 87122
14 appeared for UTAC;

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14 MS. NICOLE T. SARA
15 MR. MATTHEW L. HARVEY
16 160 North LaSalle Street, Suite C-800
17 Chicago, Illinois 60601
18 appeared for Commission Staff.

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21 SULLIVAN REPORTING COMPANY, by
22 Teresann B. Giorgi, CSR

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I N D E X

<u>Witnesses:</u>	<u>Dir.</u>	<u>Crx.</u>	<u>Re-</u> <u>dir.</u>	<u>Re-</u> <u>crx.</u>	<u>By</u> <u>Examiner</u>
NONE					

E X H I B I T S

<u>APPLICANT'S</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
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1 JUDGE RILEY: Pursuant to the direction
2 of the Illinois Commerce Commission, I call
3 Docket 10-0379. This is an application by
4 IQ Telecom, Inc., for designation as an eligible
5 telecommunications carrier for purposes of receiving
6 Federal Universal Service Support, pursuant to
7 Section 214(e)(2) of the Telecommunications Act of
8 1996.

9 And beginning with Mr. Crocker, would
10 you enter an appearance for the record, please.

11 MR. CROCKER: Yes.

12 Patrick Crocker, 107 West Michigan
13 Avenue, 4th Floor, Kalamazoo, K-a-l-a-m-a-z-o-o,
14 Michigan 49007, appearing on behalf of the applicant
15 today, your Honor, with Dan Gentile, also on the
16 bridge here.

17 JUDGE RILEY: Thank you.

18 And, Mr. Ward, you're filing an
19 appearance, also?

20 MR. WARD: Yes, with your leave, your Honor,
21 we'd like to file an appearance on behalf of
22 IQ Telecom for Ward & Ward, PC. I'm Michael Ward

1 and my partner is John F. Ward, Jr. We're at
2 One Rotary Center, 1560 Sherman Avenue, Suite 310,
3 Evanston, Illinois 60201.

4 JUDGE RILEY: Thank you.

5 And for Commission Staff?

6 MS. SARA: On behalf of the Staff of the
7 Illinois Commerce Commission, Nicole T. Sara and
8 Matthew L. Harvey, 160 North LaSalle Street,
9 Suite C-800, Chicago, Illinois 60601.

10 Also present in the hearing room today
11 is Dr. Qin Liu of the Telecommunications Division.

12 JUDGE RILEY: Thank you.

13 And for UTAC?

14 MR. PROVANCE: On behalf of UTAC, Matt Provance,
15 Mayer Brown, LLP, 71 South Wacker Drive, Chicago,
16 Illinois 60606.

17 And I'm also entering an appearance
18 for Christian Binnig, B-i-n-n-i-g, Mayer Brown, LLP,
19 71 South, Chicago, Illinois 60606.

20 And Barbara Cohen, C-o-h-e-n,
21 7428 Anton Circle, NE, Albuquerque, New Mexico.

22 JUDGE RILEY: Thank you.

1 And I believe -- did I set this matter
2 for hearing or for status today?

3 MS. SARA: Status.

4 JUDGE RILEY: I have received a substantial
5 amount of testimony from both the Applicant, from
6 Staff, and I have UTAC's testimony.

7 Can the parties advise me where do we
8 stand with this matter? There's several outstanding
9 issues, it's my understanding.

10 Ms. Sara, I'm going to start with you.

11 MS. SARA: That's correct, your Honor.

12 At this point, Staff has reviewed the
13 testimony of IQ Telecom and would like to file
14 rebuttal testimony in response and would be happy to
15 offer a date of June 29th for that testimony at this
16 time. But we will definitely be needing to file
17 testimony in response.

18 JUDGE RILEY: And what is the Applicant's
19 response?

20 Mr. Crocker?

21 MR. CROCKER: Yes, your Honor.

22 We recognize that the Staff may want

1 to file rebuttal testimony. We were hoping that
2 they would file it -- set the time at a sooner date
3 and possibly also identify a date that we could sit
4 down with Staff and go over some of the issues prior
5 to the filing of the rebuttal.

6 JUDGE RILEY: And, Staff, what --

7 MS. SARA: Staff is requesting 5 weeks for the
8 rebuttal testimony, which is an appropriate amount
9 of time. This is the time that we had for direct
10 testimony. The Company had 7 weeks for direct
11 testimony. We think it's only fair to schedule it
12 at 5 weeks and that's how much time we're going to
13 need in order to provide an adequate response.

14 JUDGE RILEY: Is there any response to
15 Mr. Crocker's suggestion that the parties confer off
16 the record to try and hash out the issues?

17 MS. SARA: Staff is still collecting information
18 and deciding exactly what issues its going to
19 address in its rebuttal. It would be my inclination
20 to say no, that Staff was not willing to meet to
21 discuss the issues and would rather that this be
22 shown out in its testimony. But that's something

1 that we can maybe explore going forward between
2 parties.

3 JUDGE RILEY: Okay. But for right now then
4 Staff wants to let the testimony speak for itself.

5 MS. SARA: That's correct.

6 JUDGE RILEY: Mr. Provance, does UTAC want to
7 weigh in here?

8 MR. PROVANCE: Yes, your Honor.

9 UTAC is not at this time planning on
10 filing any rebuttal testimony. But we would like to
11 stay involve in this process as we have been
12 continued to be copied on any testimony that is
13 filed.

14 And to the extent that Staff and
15 IQT do meet off the record, UTAC would like to be
16 invited to that meeting.

17 JUDGE RILEY: UTAC is also a party to the
18 proceeding, so. . .

19 MR. PROVANCE: Yes.

20 MS. SARA: And, I, again, would like to
21 emphasize that Staff is committing in any way, shape
22 or form to an informal meeting.

1 JUDGE RILEY: That's understood. That's
2 understood.

3 Mr. Crocker, that's where we are right
4 now.

5 Anything further?

6 I've got a substantial amount of
7 material to digest. I've gone through it. It's
8 going to take a little bit more to make it -- bring
9 it second nature to me.

10 Staff has proposed June 29th for its
11 rebuttal. Will the Applicant -- does the Applicant
12 anticipate any surrebuttal? I supposed that would
13 be a hard question to answer.

14 MR. CROCKER: I would like the opportunity to
15 address any issues that they raise. But I'd also
16 like to set a status conference for a date shortly
17 after June 29th, if we could.

18 JUDGE RILEY: Oh, absolutely. Yes.

19 MS. SARA: That's fine. Staff would be willing
20 to set a status.

21 JUDGE RILEY: All right. And that's pretty much
22 where we are right now then. Staff is going to file

1 rebuttal testimony and you're still trying to
2 determine what issue you're going to address in that
3 rebuttal, is that correct?

4 MS. SARA: That is correct.

5 JUDGE RILEY: It would take us to the week after
6 the 4th of July for the status.

7 How is July 6th?

8 MS. SARA: July 6th is fine for Staff.

9 JUDGE RILEY: Mr. Crocker?

10 MR. CROCKER: July 6th is good for me,
11 your Honor.

12 JUDGE RILEY: Okay. Mr. Ward?

13 MR. WARD: That looks fine, your Honor.

14 JUDGE RILEY: And, Mr. Provance?

15 MR. PROVANCE: Yes, your Honor.

16 JUDGE RILEY: All right.

17 MS. SARA: Your Honor, I would like to note I
18 have a conflict at 10:00 a.m. that day, but any
19 other time would be just fine.

20 JUDGE RILEY: 11:00 a.m.?

21 MR. WARD: That's fine.

22 JUDGE RILEY: Mr. Crocker, would 11:00 a.m. be

1 okay for a starting time?

2 MR. CROCKER: Yes, your Honor.

3 JUDGE RILEY: Okay. It will, again, be for

4 status.

5 Ms. Sara, is there any doubt in

6 Staff's mind that they can have that testimony filed

7 by the 29th?

8 MS. SARA: It will be filed on the 29th, your

9 Honor.

10 JUDGE RILEY: Okay. Does Applicant have

11 anything further?

12 MR. CROCKER: Not at this time, your Honor.

13 JUDGE RILEY: There's nothing further from

14 Staff?

15 MS. SARA: Nothing.

16 JUDGE RILEY: UTAC?

17 MR. PROVANCE: No, your Honor.

18 JUDGE RILEY: All right, we'll leave it at that.

19 Staff is going to file rebuttal

20 testimony by June 29, 2011. And we'll continue this

21 matter for a status session to July 6th at

22 11:00 a.m.

1 Mr. Crocker, would you provide the
2 conference call number again?

3 MR. CROCKER: Absolutely, your Honor.

4 JUDGE RILEY: Thank you very much.

5 If there's nothing further, we're
6 continued.

7 Thank you.

8 MS. SARA: Thank you.

9 MR. WARD: Thank you, your Honor.

10 (Whereupon, the above-entitled
11 matter was continued to
12 June 29, 2011, 11:00 a.m.)

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